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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, ) CASE NO. MJ 08-573  
09 Plaintiff, )  
10 v. ) DETENTION ORDER  
11 ERIC CHARLES SANFORD, )  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Felon in Possession of a Firearm

15 Date of Detention Hearing: January 6, 2009

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably assure  
19 the appearance of defendant as required and the safety of other persons and the community.

20 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

21 (1) Defendant is on active supervision with the state Department of Corrections for  
22 a controlled substance violation. The AUSA proffers information that his supervising officer

01 reports the defendant has been non-compliant during the course of supervision.

02       (2)     The AUSA proffers information tending to establish the defendant's active gang  
03 membership, as well as leadership. Material is proffered that has been downloaded from the  
04 internet in which the defendant is alleged to brandish a firearm and ammunition, and threaten harm  
05 to rival gang members.

06       (3)     Defendant poses a risk of nonappearance based on a prior history of failing to  
07 appear, lack of employment, a recent history of failing to comply with supervision, an alleged  
08 history of controlled substance use and some lack of verification of background information. He  
09 poses a risk of danger due to the fact that he was on state supervision at the time of the instant  
10 alleged charges, association with a street gang, and criminal history.

11       (4)     There does not appear to be any condition or combination of conditions that will  
12 reasonably assure the defendant's appearance at future Court hearings while addressing the danger  
13 to other persons or the community.

14 It is therefore ORDERED:

15       (1)     Defendant shall be detained pending trial and committed to the custody of the  
16 Attorney General for confinement in a correction facility separate, to the extent  
17 practicable, from persons awaiting or serving sentences or being held in custody  
18 pending appeal;

19       (2)     Defendant shall be afforded reasonable opportunity for private consultation with  
20 counsel;

21       (3)     On order of a court of the United States or on request of an attorney for the  
22 Government, the person in charge of the corrections facility in which defendant is

01 confined shall deliver the defendant to a United States Marshal for the purpose of  
02 an appearance in connection with a court proceeding; and

- 03 (4) The clerk shall direct copies of this Order to counsel for the United States, to  
04 counsel for the defendant, to the United States Marshal, and to the United States  
05 Pretrial Services Officer.

06 DATED this 6th day of January, 2009.

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08 Mary Alice Theiler  
09 United States Magistrate Judge  
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